Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Document Page 1 of 13

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re: AMBER E. OVENS, : CHAPTER 13

Debtor : BANKRUPTCY NO. 15-15823

ORDER SUSTAINING DEBTOR'S OBJECTIONS TO AMENDED PROOF OF CLAIM ("POC") No. 3-2 FILED BY COLONIAL SAVINGS & LOAN ("Colonial")

AND NOW, this day of August, 2016, it is hereby ORDERED as follows:

- The Objections are SUSTAINED.
- The Amended Proof of Claim filed by Colonial (No. 3-2) is DISALLOWED and Claim No. 3-1 shall stand as the only allowed claim on behalf of Colonial in this case.

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Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Document Page 2 of 13

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re: AMBER E, OVENS, : CHAPTER 13

Debtor : BANKRUPTCY NO. 15-15823A

DEBTOR'S OBJECTIONS TO AMENDED PROOF OF CLAIM ("POC") NO. 3-2 FILED BY COLONIAL SAVINGS & LOAN ("Colonial")

The Debtor now comes and makes the following Objections ("the Objections") to the Proof of Claim (No. 3-2) ("the POC") filed in this case by Colonial::

- A copy of the first seven pages of POC No. 3-2 is attached hereto.
- The POC was filed on June 28, 2016.
- The bar date for entities to file proofs of claim in this case was February
 14, 2016.
- 4. When Colonial itself failed to file a proof of claim by the Bar Date, the Debtor filed a proof of claim on behalf of Colonial on February 15, 2016, pursuant to Federal Rule of Bankruptcy Procedure 3004, designated as Claim No. 3-1. A copy of this clsaim is also attached hereto.
- Counsel for Colonia filed an Entry of Appearance on February 25, 2016, making clear that it was aware of this case and had access to all filings in this case...
- On February 27, 2016, the Debtor filed an Amended Plan which specifically provided that Colonial would be paid the amount set forth as arrears due in Claim No. 3-1 in full consideration of Colonial's arrears owed.

Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Document Page 3 of 13

- No objection to confirmation of the Amended Plan was filed by Colonial,
 and the Amended Plan was therefore confirmed without objection on April 6,
 2016.
- On June 28, 2016, over two months after the Amended Plan was duly confirmed, Colonial filed Claim No. 3-2 as an attempt to amend Claim no. 3-1.
- The challenged proof of claim is untimely filed, and, if allowed, would frustrate the Debtor's confirmed plan, since it demands more than Colonial was provided in the confirmed plan.

WHEREFORE, the Debtor requests that this court will enter the Proposed Order accompanying the Objections.

> /s/DAVID A. SCHOLL 512 Hoffman Street Philadelphia, PA. 19148 610-550-1765 Attorney for Debtor

Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Claim 3- Document/15Rage 4 of 13 ain Document Page 1 of 3

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Official Form 410

Proof of Claim

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Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Claim 3- Document 15/Page 6 of 13 in Document

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Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invokes, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both, 18 U.S.C. §§ 152, 157, and 3571

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

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Case 15-15823-amc

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Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Claim 3-Document6/28Page 10sofM3in Document Page 4 of 4 Case 15-15823-amc

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Amber E. Ovens	Debtor	CHAPTER 13 Debtor(s) NO: 18-15823 AMC

CERTIFICATE OF SERVICE

the undersigned attorney for COLONIAL SAVINGS F.A. do hereby certify that true and correct copies of the foregoing Amended Proof of Claim have been served June 28, 2018, by electronic filing upon those listed below

Attorney for Debtor David A. Scholl, Esq. (VIA ECF) Law Office of David A. Scholl 512 Hoffman Street Philadelphia, PA 19145

Bankruptcy Trustee

William C. Miller Esq. (VIA EGF) Chapter 13 Trustee 1234 Market Street Suite 1813 Philadelphia, PA 19107

Date: June 28, 2016

/s/ Joshua I. Goldman, Esquire

Joshua I Goldman KML Law Group, P.C. 701 Market Street, Suite 5000 Philadelphia, PA 19106-1532 (215) 627-1322 FAX (215) 627-7734 Attorney for Movent/Applicant

Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Document Page 11 of 13

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Case 15-15823-amc Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Main Document Page 12 of 13

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Doc 33 Filed 07/18/16 Entered 07/18/16 13:58:51 Desc Michael 3-2Documentiled Page/13 of 13:0 Exhibit Escrow Statement Case 15-15823-amc Desc Main

Case 15-15823-amc

Page 1 of 1

ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT PROJECTIONS FOR COMING YEAR

August 13, 2015

AMBER E OVENS

0

410 SYCAMORE AVE

CROYDON

PA 19021

Reference: Mortgage Account Number:

Dear Mortgagor:

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made from your account.

his is an estimate of activity in your escrow Escrow Item	Next	Estimated Next Amt (Spread Over 12 Mos.)	Esti, Next Annual Disbursement		
Description			\$0.00		
State Taxes	1.0	\$244.96	\$2,939.50		
County Taxes	August-16	The state of the s	\$1,077.80		
City Taxes	April-17	\$89.82	\$0.00		
School Taxes		400.40	\$962.28		
Hazard Premium	February-17	\$80.19			
FHA Insurance		\$166.19	\$1,994.28		
Flood/Other Hazard Ins.		Yes	\$0.00		
PMI			\$0.00		
tandard Monthly Escrow Deposit (12)	581.16	,			
	6973.86	į .			
otal Estimated Disbursements	1162.31	1			
Minimum Reserve Requirement (+ 6)			•		

Month	Deposit	PMI Insurance Disbursement	Disbursement	Escrow Balance	
				\$0.00	
	\$581.16	\$166.19	\$2,939.50	-\$2,524.54	
September-15	\$581.16	\$166.19	\$1,077.80	53,187,37	*Low Point Month
October-15		\$166.19	\$0.00	-52,772.41	1
November-15	\$581.15	\$166.19	\$0.00	-\$2,357.44	1
December-15	\$581.16	\$166.19	\$0.00	-51,942.48	1
January-16	\$581.16	The state of the s	5962.28	-\$2,489.79	ſ
February-16	\$581.16	\$166.19	\$0.00	-\$2,074.83	1
March-16	\$581.16	\$166.19		-\$1,659.86	1
April-16	\$581.16	\$156.19	\$0.00	-\$1,244.90	1
May-16	\$581.16	\$166.19	\$0.00	-\$829.93	i
June-16	\$581.16	\$166.19	\$0.00		ł
July-16	\$581.16	\$166.19	\$0.00	-\$414.97	4
August-16	\$581.16	\$166.19	\$0.00	\$0.00	ı

^{*}Low Point Month identifies when your Escrow Balance drops to its lowest balance in the projected year.

Projected Low Point/Shortage Balance:

\$0.00 **

Required Minimum Reserve (Cushion):

1162.31 Minimum Reserve divided by 12 months:

96.86

Total Projected Shortage or Overage:

-1162.31

PLEASE KEEP THIS STATEMENT FOR COMPARISON WITH THE ACTUAL ACTIVITY IN YOUR ACCOUNT AT THE END OF THE NEXT ESCROW ACCOUNTING

Monthly Payment Information:

Next Due Date: October 1, 2015

Principal and Interest:

\$893.40 \$581.16

Escrow Deposit: Monthly Reserve/Cushion:

\$96.86

TOTAL:

\$1,571.41

^{**}Negative Low Point Balance, if any, will be submitted to the Trustee.